IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

THURSDAY, THE 23RD AUGUST 2007 / 1ST BHADRA 1929

SA.No. 922 of 1994(B)

AS.143/1993 of DISTRICT COURT, PALAKKAD
OS.517/1986 of PRL.MUNSIFF COURT, PALAKKAD
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APPELLANTS/PETITIONERS/DEFENDANTS:
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1. STATE OF KERALA, REP. BY THE DISTRICT COLLECTOR, PALAKKAD

2. THE BLOCK DEVELOPMENT OFFICER, PALAKKAD

BY GOVERNMENT PLEADER LATHA THANKAPPAN

RESPONDENT/RESPONDENT/PLAINTIFF:

T.V.GOVINDANKUTTY NAIR, AGED 75, S/O.ITTIKUTTY AMMA,
THELAKKAD VAYANKARA VEEDU KUNDUVAMPADAM,
PERINGODE AMSOM, PALAKKAD TALUK

BY ADV. C.P.DAMODARAN NAYAR
SRI.D.KRISHNA PRASAD

THIS SECOND APPEAL HAVING BEEN FINALLY HEARD ON 23/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.SASIDHARAN NAMBIAR,J.

S.A.NO.922 OF 1994

Dated 23rd August 2007

J U D G M E N T

Learned counsel appearing for respondent submitted that respondent/plaintiff died years back and appeal is abated. Appeal itself is filed challenging the dismissal of the first appeal as barred by time, after dismissing the application to condone a delay of three years and 57 days. First appeal itself was filed against the ex-parte decree passed on 19/1/1990. In such circumstances, appeal is dismissed as abated.

M.SASIDHARAN NAMBIAR,
JUDGE.

uj.

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M.SASIDHARAN NAMBIAR,J.

JUDGMENT

S.A.NO.922 OF 1994

23rd AUGUST 2007

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